

change; to fix the time of holding court, and to repeal all laws in conflict with this act."

Senate Concurrent Resolution No. 3, Whereas, There is a question as to the sufficiency of the caption to Senate bill No. 17, which has finally passed the Senate and House, and is now in the hands of the Governor; therefore, be it

Resolved by the Senate, the House concurring, That the Governor be requested to return said bill to the Senate for correction.

REGULAR ORDER—SENATE BILL NO. 32 ON SECOND READING.

The Chair laid before the Senate, on its second reading,

Senate bill No. 32, A bill to be entitled "An Act to amend Article 4905, Title CI, Chapter 1, of the Revised Civil Statutes of the State of Texas,"

With the following committee amendment:

"Amend the bill by adding after word 'hour,' in line 14, page 1, the word 'on, and by adding after the word 'what,' in line 16, and before the word 'place,' in same line, the words 'time and.'"

The committee amendment was read and lost.

Senator Hanger then offered the following amendment:

Amend the bill by adding after word "hour," in line 14, page 1, the word "on" and by adding after the word "what," in line 16 and before the word "place" in same line the words "time and."

The amendment was read second time, and adopted.

The bill as amended was then ordered engrossed.

Senator Hicks moved to suspend pending business and take up House Concurrent Resolution No. 4.

House Concurrent Resolution No. 4, Relating to instructions of United States Senators to use their efforts to secure an appropriation for the purchase of a site for a military camp of instruction near Fort Sam Houston, Texas.

The motion prevailed, and

The resolution was read and adopted.

REASON FOR VOTING.

"I vote 'no' on Senate bill No. 31 because I believe it will peon the tenants of Texas.

"HALE."

ADJOURNMENT.

On motion of Senator Mills, the Senate, at 12:15 p. m., adjourned until 10 o'clock a. m. tomorrow.

THIRTEENTH DAY.

Senate Chamber,

Austin, Texas, Friday, January 30, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Stafford.
Hanger.	Willacy.
Harbison.	Wilson.
Harper.	

Absent.

Lipscomb. Sebastian.

Absent—Excused.

Davidson of
DeWitt.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday.

On motion of Senator Douglass, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill Nos. 30 and 75, A bill to be entitled "An Act to amend Articles 151, 152, 153, 154, 155 and 156, Chapter 1, Title VI, of the Revised Penal Code of Texas, providing for the punishment of bribery, and the use of undue influence at any public election, or at any election held by authority of any political party,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the substitute bill *do pass*.

PAULUS, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 32, A bill to be entitled "An Act to amend Article 4905, Title CI, Chapter 1, of the Revised Civil Statutes of the State of Texas,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 31, A bill to be entitled "An Act to amend Article 950, Chapter 18, Title XVII, of the Penal Code of the State of Texas, relating to the fraudulent disposition of mortgaged property,"

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 87, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to purchase the railroad, as completed or partially completed and in course of construction, of the Granger, Georgetown, Austin & San Antonio Railway Company between Granger, in Williamson county, and Austin, in Travis county, together with the properties, franchises and appurtenances pertaining thereto, and to own, complete and construct the unfinished parts thereof between Granger and Austin, and operate and maintain the same as a part of its line, with the right to extend the same and construct branches therefrom, by amendment of its charter under the general laws of the State of Texas, and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such purchase and sale,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of Galveston, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 85, A bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas, organized and existing under the laws of the State of Texas, to purchase or lease the railroad and properties of the Denison & Washita Valley Railway Company, organized and existing under the laws of the State of Texas, in Grayson county, Texas, together with the franchises and appurtenances pertaining thereto, and to lease or own and operate and maintain the same as a part of its line, and vesting said companies, and each of them, with the power to make and execute all necessary contracts and agreements and conveyances to effect such sale or lease, and also to authorize the Denison & Washita Valley Railway Company to sell or lease all or any part of its railroad property in the Indian Territory to the Missouri, Kansas & Texas Railway Company, a corporation organized and existing under the laws of the State of Kansas, or the Texas & Oklahoma Railroad Company, a corporation organized and existing under the laws of the Territory of Oklahoma, or either of them,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

DAVIDSON of Galveston, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 42, A bill to be entitled "An Act to authorize the International & Great Northern Railroad Company to purchase, own and operate as a part or parts of its line the railroad constructed, or to be constructed, of the Houston, Beaumont & New Orleans Railroad Company, and also the railroad constructed or to be constructed, of the Houston, Oaklawn & Magnolia Park Railway Company, or either of them, as defined in their respective charters, together with all franchises and property incident or appertaining to said railroads, or either of them; and to authorize said Houston, Beaumont & New Orleans Railroad Company, and said Houston, Oaklawn & Magnolia Park Railway Company each to sell its railroad as de-

fined by its charter, together with all franchises and property incident or appertaining thereto to said International & Great Northern Railroad Company; and to authorize said International & Great Northern Railroad Company to issue and negotiate its bonds, secured or to be secured, by mortgage or mortgages, subject to the laws of the State of Texas governing the issuance and negotiation of bonds by railroad companies; and to authorize said International & Great Northern Railroad Company to construct, own and operate, as a part or parts of its line, the unfinished portion or portions of said railroads, or either of them, between the termini, as defined in their respective charters, and to construct, own and operate, as part or parts of its line, extensions and branches of said railroads, or either of them, under or as authorized in and by the charter of said International & Great Northern Railroad Company, or any amendment thereof, made or to be made in pursuance of general laws of the State of Texas; to regulate reports relative to the railroads, franchises and property, authorized by this act to be purchased and sold, and the operation thereof, and to prescribe the conditions upon which said purchases and sales shall take effect and be dependent; and to authorize said companies and each of them to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

And find the same correctly engrossed.
PATTESON, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Penitentiaries, to whom was referred

Senate bill No. 79, A bill to be entitled "An Act to amend Article 3698, of Chapter 6, Title LXXIX, by fixing the minimum of underofficers and employees of the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass* with the following amendment:

"Amend by adding to Article 3698 the following: 'Provided, no temporary suspension or discharge for other than misconduct shall be construed as depriving any guard of the benefit or the term of continuous service.'"

MORRIS, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 99, A bill to be entitled "An Act to amend Chapter 170 of the Acts of the Twenty-fifth Legislature, entitled 'An Act to create a judicial district in Harris county, additional to the Eleventh Judicial District therein, to be the Fifty-fifth Judicial District; to establish a court and provide a judge and clerk of said new district, and to regulate the venue of the courts of said respective districts and the disposition of the business therein, and define the jurisdiction and boundaries and terms thereof,' so as to create an additional district court in Harris county, to be known as the Fifty-ninth Judicial District, and to provide for the organization thereof, and to regulate the conduct and disposition of business therein, and to provide for filling a vacancy in the office of clerk of said courts,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*, and that this bill be not printed.

BEATY, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Penitentiaries, to whom was referred

Senate bill No. 16, A bill to be entitled "An Act to provide for the extension and enlargement of the present iron smelting furnace in the State penitentiary at Rusk, Texas, or to construct or erect a new furnace at said place; authorizing and directing the Penitentiary Board to purchase or otherwise acquire timber or timbered land and iron ore or lands containing deposits of iron ore sufficient to supply the charcoal and iron ore necessary to run and operate the iron smelting furnace or furnaces and pipe works situated in said penitentiary to their full capacity, as herein provided, and on full time, for not less than ten years from the date of this act; providing for conducting experiments and tests at the State iron smelting furnace in said penitentiary in the use of lignite or brown coal and fuel oil as fuel in the smelting of iron, prescribing by whom said tests shall be made, and if such tests prove successful, directing the Penitentiary Board to contract for and provide such quantity of lignite or oil, or either of

same, for the use of such smelting and iron manufacturing as may be necessary for their use and consumption thereafter; providing for the appointment of a general manager of the iron industry of the Texas penitentiary and prescribing his qualifications, powers, duties and compensation, and prescribing certain duties of the Superintendent and Financial Agent of Penitentiaries in relation to said iron industry and its general manager; and making an appropriation therefor."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following amendments:

(1) "Amend by striking out 'and on full time for a period of not less than ten years from the date of this act' and insert in lieu thereof 'for such of time as in their discretion they think best for the State's interest.'" (Last part of Section 2.)

(2) "Amend Section 9 by adding thereto the following: 'All said salaries to be fixed by the board.'"

MORRIS, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 109, A bill to be entitled "An Act to amend an act of the Twenty-sixth Legislature amending Article 4497 of the Revised Civil Statutes of 1895, relating to the furnishing of cars for the shipment of freight and the time within which the same shall be loaded, and requiring such cars to be placed upon the switch, sidetrack or spur on the track of any railroad company upon application made to the nearest agent on either side of the switch, sidetrack or spur at which the car is required,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. , to whom was referred

Senate bill No. 106, A bill to be entitled "An Act to amend Article 2259 of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 94, A bill to be entitled "An Act to amend Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, and amended at the Regular Session of the Twenty-sixth and Twenty-seventh Legislatures, entitled 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by means of the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in this State, and to provide for the violation thereof,' by exempting the county of Stephens and other counties from the provisions of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 69, A bill to be entitled "An Act to provide for the incorporation of mutual fire, storm and lightning insurance companies, and defining their powers and duties,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following amendments:

"Amend by adding after Section 12 the following, which shall be designated as Section 13: 'Any person having a claim or demand against any such mutual insurance company incorporated or acting under this act may sue said company in any court of competent jurisdiction in any county in this State wherein resides one or more of the members of said company.'"

"We further recommend that Section 13 in the original bill be made Section 14, Section 14 be made Section 15, and Section 15 be made Section 16."

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 77, A bill to be entitled
"An Act to amend Title L, Article 2954
(2838), of the Revised Civil Statutes of
the State of Texas, as to persons author-
ized to celebrate the rites of matri-
mony,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do not* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 73, A bill to be entitled
"An Act to amend Article 1117, Chapter
3, Title XV, of the Code of Criminal
Procedure, and to provide for the pay-
ment of jurors who serve in the district
courts by the State,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do not* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 39, A bill to be entitled
"An Act to amend Article 3342 of the
Revised Civil Statutes of the State of
Texas, of 1895,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do not* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 52, A bill to be entitled
"An Act to amend Article 2366, Title
XLI, Chapter 4, of the Revised Civil
Statutes of Texas, fixing the time and
place of making sales of real estate
under execution, order of sale, or vendi-
tioni exponas, and to prescribe the mode
and manner of advertising such sales,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred
Senate bill No. 64, A bill to be entitled
"An Act to give the furnishers of feed
for cattle a prior lien on said cattle to
secure the payment of such feed,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 68, A bill to be entitled
"An Act to amend Article 3071, of Title
LVIII, of the Revised Statutes of Texas
of 1895, so as to include accident, fire
and marine insurance companies in the
list of insurance companies which shall
be liable to pay to the holder of a policy,
in addition to the amount of the loss, 12
per cent. damages on the amount of each
loss, and reasonable attorney's fees, for
the prosecution and collection of such
loss in the event such companies shall
fail to pay the loss after demands made
therefor,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do* pass.

HANGER, Chairman.

Committee Room,
Austin, Texas, January 29, 1903.
Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 10, A bill to be entitled
"An Act to amend Article 1742, Chapter
5, Title XXXVI, of the Revised Civil
Statutes of Texas, relating to the man-
ner of holding elections and returns
thereof,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recommenda-
tion that it *do* pass.

HANGER, Chairman.

Committee Room.

Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 48, A bill to be entitled "An Act to amend Articles 2227, 2236 and 2238, of the Revised Statutes of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

HANGER, Chairman.

Committee Room.

Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 24, A bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXIX, of the Revised Civil Statutes of Texas, relating to charges and instructions to juries,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

HANGER, Chairman.

Committee Room.

Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 65, A bill to be entitled "An Act to repeal Subdivision 1, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature that imposes an annual occupation tax on merchants,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

HANGER, Chairman.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, January 30, 1903.*Hon. Geo. D. Neal, President of the Senate.*

SIR: I am directed by the House to inform the Senate that the House has passed the following:

House bill No. 22, A bill to be entitled "An Act to amend Article 2366, of the Revised Civil Statutes of the State of Texas, of 1895, and to repeal Article 2367 of said statutes, fixing the manner

of advertising sales of real estate under execution, etc., and providing for the publication of notice of sales of real estate under execution in newspapers under certain conditions."

With amendment.

House bill No. 40, A bill to be entitled "An Act to amend Article 3905, Chapter 7, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to the scholastic age, and extending the scholastic age from seven to eighteen years."

House bill No. 30, A bill to be entitled "An Act to prescribe the time within which statements of facts and bills of exception may be filed in causes tried in the district and county courts of Texas, and to authorize judges whose terms of office have expired to approve the same."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SIMPLE RESOLUTIONS.

Senator Stafford offered the following resolution:

Whereas, The Hon. J. E. Yantis, a worthy citizen of Texas, and an honorable ex-member of this body, in is the city; therefore, be it

Resolved, That he be extended the freedom and courtesy of this chamber.

The resolution was read second time, and adopted.

BILLS AND RESOLUTIONS.

Senator Hale offered the following resolution:

Senate Concurrent Resolution No. 4.

Resolved, That the chairman of the Committee on Educational Affairs shall appoint two members of the said committee who, with himself, shall constitute a sub-committee to act with a sub-committee of the House Committee on Education, the committees of both houses to prepare a bill which shall comprise a revision of the general school laws, the bill thus prepared to be introduced concurrently in both houses as soon as practicable.

The resolution was read second time, and adopted.

By Senator Paulus:

Senate bill No. 111, A bill to be entitled "An Act to amend Article 338, Title IX, Chapter 4, of the Penal Code of the State of Texas, relating to the carrying of arms."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Faulk:

Senate bill No. 112, A bill to be entitled "An Act to amend Chapter 3, Title

XXVII, of the Revised Civil Statutes of the State of Texas, by adding Article 942a, to require the Supreme Court to hear argument and deliver written opinions on the refusal of application for writ of error."

Read first time, and referred to Judiciary Committee No. 1.

By Senator McKamy:

Senate bill No. 113, A bill to be entitled "An Act to amend Article 1223, Revised Statutes of the State of Texas, providing the means for service of process upon foreign corporations."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hicks:

Senate bill No. 114, A bill to be entitled "An Act requiring all railway corporations operating a line of railway in the State of Texas to place switch lights on all their main line switches, and to keep the same lights from sunset to sunrise, and requiring all railway corporations operating a line of railway in the State of Texas to place derailing switches on all sidings connecting with the main line, and upon which sidings cars are left standing, and providing penalties and remedies for the violation of the provisions of this act, and providing an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Paulus:

Senate bill No. 115, A bill to be entitled "An Act to amend Article 4897, Chapter 1, Title CI, of the Revised Civil Statutes of the State of Texas, 1895, making mandatory that sheriffs shall require bond from their deputies."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Perkins:

Senate bill No. 116, A bill to be entitled "An Act to regulate elections and to prescribe penalties for its violation."

Read first time, and referred to Committee on Privileges and Elections.

Senator Wilson offered the following resolution:

Whereas, Mrs. S. E. Rorer, an educator of national reputation, is visiting in the city of Austin;

Resolved, That she be extended an invitation to address the Legislature this evening at 2 p. m., in the Senate chamber, on the the subject of the domestic arts and industrial training.

Resolution was read second time, and adopted.

Senator Faubion offered the following resolution:

Senate Concurrent Resolution No. 5.

Whereas, The State of Texas has never made a provision for the benefit

of the indigent and helpless adult blind, although an adequate provision has been made by many of the States of the Union; and,

Whereas, Many deserving blind persons are desirous of obtaining the same privileges as are now accorded blind children in the Institute for the Blind, located at Austin; and,

Whereas, In the interest of humanity, these unfortunate adult blind people are deserving of the support of the State;

Resolved by the Senate, the House of Representatives concurring, That the Committee on Asylums of both the Senate and House of Representatives are hereby instructed to give this matter their earnest and careful attention, and form a bill and report the same to their respective bodies, looking toward an adequate provision for the adult blind of the State.

Read first time, and referred to Committee on Asylums.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
STATE OF TEXAS.

Austin, Texas, January 29, 1903.

To the Senate:

I herewith transmit to you Senate bill No. 17, "An Act to fix the time of holding the courts in the Forty-seventh Judicial District of Texas," in compliance with the request contained in Senate Concurrent Resolution No. 3.

S. W. T. LANHAM,
Governor.

Morning call concluded.

REGULAR ORDER—HOUSE BILL NO. 8.

The Chair laid before the Senate, regular order, on its second reading,

House bill No. 8, A bill to be entitled "An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows, by donating and granting to it the State ad valorem taxes, and a part of the occupation and poll taxes, collected on property and from persons in Galveston county, for a period of fifteen (15) years, and to provide a penalty for their misappropriation."

With the following committee amendments:

"Amend by striking out the words 'may be invested by said city in the purchase of said bonds' (on lines 9 and 10 on page 5 of the original bill) and inserting in lieu thereof the following: 'Shall be invested by said city in the purchase of said bonds, or bonds of the United States, the State of Texas, or the

bonds of any county, city or town of the State of Texas, bearing interest at a rate of not less than 4 per cent. per annum, and provided further, that the entire sinking fund when received by the city treasurer of said city shall be invested by the municipal authorities of said city as received, in bonds herein referred to, or bonds of the United States, the State of Texas, or the bonds of any county, city or town of the State of Texas, bearing interest at a rate of not less than 4 per cent. per annum.

On motion of Senator Hill,

The committee amendment was read and adopted, and

The bill was passed to its third reading.

Senator Davidson of Galveston moved that the Senate rule requiring committee reports to lay over for one day be suspended.

The motion prevailed.

Bill read second time, and ordered engrossed.

On motion of Senator Davidson of Galveston, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Douglass.	Patteson.
Faubion.	Paulus.
Faulk.	Savage.
Faust.	Sebastian.
Hale.	Stafford.
Hanger.	Willacy.
Harbison.	Wilson.
Harper.	

Present—Not voting.

Henderson.

Absent.

Beaty.	Morris.
Grinnan.	Perkins.

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

The bill was read third time, and passed by the following vote:

Yeas—26.

Brachfield.	Faubion.
Cain.	Faulk.
Davidson of	Faust.
Galveston.	Hale.
Decker.	Hanger.
Douglass.	Harbison.

9—S

Harper.
Hicks.
Hill.
Martin.
McKamy.
Mills.
Morris.
Patteson.

Paulus.
Perkins.
Savage.
Sebastian.
Stafford.
Willacy.
Wilson.

Present—Not voting.

Henderson.

Absent.

Beaty.

Grinnan.

Absent—Excused.

Davidson of

Lipscomb.

DeWitt.

Senator Davidson of Galveston moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion prevailed.

COMMITTEE REPORTS.

By unanimous consent, the following committee reports were offered:

Committee Room,

Austin, Texas, January 23, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 45, A bill to be entitled "An Act to amend Article 553 of Chapter 10, Title XVIII, of the Revised Statutes of the State of Texas, restricting the number of wards of cities which are incorporated under the general laws of the State,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

HICKS, Chairman.

Committee Room,

Austin, Texas, January 23, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Towns and City Corporations, to whom was referred Senate bill No. 28, A bill to be entitled "An Act to amend Article 483a, of Chapter 4, Title XVIII, of the Revised Civil Statutes of the State of Texas, 1895, relating to the power of city councils of a town or city having less than three thousand inhabitants, to dispense with the office of marshal,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

HICKS, Chairman.

ADDITIONS TO STANDING COMMITTEES.

The Chair laid before the Senate the following additions to the respective standing committees:

Judiciary Committee No. 1—Senator Perkins.

Committee on Internal Improvements—Senators Savage and Faubion.

Committee on Finance—Senators Decker and Henderson.

Committee on Agricultural Affairs—Senator Perkins.

(Senator Stafford in the chair.)

HOUSE BILLS READ AND REFERRED.

The Chair laid before the Senate, and had read and referred the following House bills:

House bill No. 22, A bill to be entitled "An Act to amend Article 2366 of the Revised Civil Statutes of the State of Texas of 1895, and to repeal Article 2367 of said statute, fixing the manner of advertising sales of real estate under execution."

Referred to Judiciary Committee No. 1.

House bill No. 30, A bill to be entitled "An Act to prescribe the time within which statements of fact and bills of exception may be filed in causes tried in the district and county courts of Texas, and to authorize judges whose terms of office have expired to approve the same."

Referred to Judiciary Committee No. 1.

House bill No. 40, A bill to be entitled "An Act to amend Article 3905, Chapter 7, Title LXXXVI, of the Revised Civil Statutes of the State of Texas, relating to scholastic age."

Referred to Committee on Education.

REGULAR ORDER—SENATE BILL NO. 6.

The Chair laid before the Senate, on its second reading,

Senate bill No. 6, A bill to be entitled "An Act to create a more efficient road law for Henderson county; creating the office of county road superintendent, prescribing his qualifications and duties; providing for working county and State convicts and delinquent poll tax payers on public roads; rewards and penalties for escaped convicts; for the appointment and duties of road overseers, and fixing amount of their pay, and prescribing penalties against road overseers, hands and road superintendent, and prescribing the duties of the county attorney, grand jury and district judge in

seeing its provisions enforced; fixing width of public roads, and providing how they shall be worked, graded, etc.; for the building of bridges, culverts, etc., by the lowest responsible bidder, the plan for which is furnished by the county superintendent; for the hiring of teams, tools and wagons by the county superintendent and overseers, and relieving of hands by paying \$4.00 per annum; and opening up two first-class roads running east and west and north and south through the county seat; and for the appropriation of the taxes collected in each commissioners precinct; fixing the ages and persons liable to work on roads; providing for the levy of road and bridge tax, and issuance of bonds for road and bridge purposes; and fixing the bonds of the county superintendent and road overseers, and penalties to be recovered in case of a breach thereof; and providing that in cases where there is a conflict in this and the General Laws of the State this supersedes the general laws, and where there is no conflict the general law still remains in force."

Senator Faulk moved to lay Senate bill No. 6 on the table subject to call, on account of the many errors made in the printing of the bill.

The motion prevailed, and the bill was laid on the table subject to call.

REGULAR ORDER—SENATE BILL NO. 26.

The Chair laid before the Senate, on its second reading,

Senate bill No. 26, A bill to be entitled "An Act to amend Chapter 17, Title XXI, Revised Statutes of Texas, by adding thereto Article 748a, and providing for the cancellation of permits to do business in Texas granted to non-resident corporations and preventing issuance of permits to offending corporations."

Bill read second time, and ordered engrossed.

On motion of Senator Decker, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Beaty.	Harbison.
Brachfield.	Harper.
Cain.	Henderson.
Decker.	Hicks.
Douglass.	Hill.
Faubion.	Martin.
Faulk.	McKamy.
Faust.	Mills.
Hale.	Morris.
Hanger.	Patteson.

Paulus.	Stafford.
Perkins.	Willacy.
Savage.	Wilson.
Sebastian.	

Absent.

Davidson of	Grinnan.
Galveston.	

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

The bill was read third time, and passed by the following vote:

Yeas—27.

Brachfield.	Hill.
Cain.	Martin.
Decker.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.
Hicks.	

Absent.

Beaty.	Davidson of
	Galveston.

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

Senator Decker moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion prevailed.

SIMPLE RESOLUTION.

Senator Savage offered the following resolution:

Resolved, That an invitation is hereby extended to the members of the House of Representatives to be in attendance this afternoon at 2 p. m. to hear the address of Mrs. Rorer on industrial education.

Resolution was read second time, and adopted.

COMMITTEE REPORTS.

By unanimous consent, the following committee reports were offered:

Committee Room,
Austin, Texas, January 29, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 4, A bill to be entitled "An Act to create, establish and maintain a branch asylum, or home, for the care, treatment and support of idiots and imbeciles of this State, and to make an appropriation therefor,"

And find the same correctly engrossed.
PATTESON, Chairman.

(Lieutenant Governor Neal in the chair.)

EXECUTIVE SESSION.

The Chair announced the hour for the Senate to go into executive session, for the purpose of considering the appointments of the Governor, offered on yesterday, and accordingly the chamber was cleared.

AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had:

Board of Directors of the Agricultural and Mechanical College—Marion Sansom, of Tarrant county; Frank Reichardt, of Harris county; P. H. Tobin, of Grayson county; K. K. Legett, of Taylor county; George T. Jester, of Navarro county; A. Haidusek, of Fayette county, and L. D. Amsler, of Waller county.

Board of Trustees of the State Orphan Asylum—R. H. Daniel, W. A. Polk, Mrs. H. L. Scales, R. E. Prince and J. L. Halbert, of Navarro county.

Judge of the Fifty-ninth Judicial District of Texas—W. T. Beverly, of Collin county.

REGULAR ORDER—SENATE BILL NO. 34.

The Chair laid before the Senate, pending business, on its second reading,

Senate bill No. 34, A bill to be entitled "An Act to provide for the cancellation of judgments and all liens on real estate and the assignments thereof."

(Senator Savage in the chair.)

The bill was read second time, and ordered engrossed.

On motion of Senator Hicks, the vote by which the bill was ordered engrossed, was reconsidered.

Senator Hicks offered the following amendment:

"Amend by adding Section 6. 'Whereas, There is now no easy and convenient way to release mortgages, deeds of trust and other liens, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and this bill become a law from and after its passage, and it is so enacted.'"

The amendment was read second time, and adopted.

Bill read second time, and ordered engrossed.

On motion of Senator Hicks, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Martin.
Douglass.	McKamy.
Faubion.	Mills.
Faulk.	Morris.
Faust.	Patteson.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Savage.
Harper.	Sebastian.
Henderson.	Willacy.

Absent.

Davidson of	Harbison.
Galveston.	Stafford.
Decker.	Wilson.

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

The bill was read third time, and passed by the following vote:

Yeas—28.

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Martin.
Decker.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Absent.

Davidson of	
Galveston.	

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

SPECIAL ORDER FOR TUESDAY MORNING.

On motion of Senator Perkins

Senate bill No. 16, A bill to be entitled "An Act to provide for the extension and enlargement of the present iron smelting furnace in the State penitentiary at Rusk, Texas, or to construct and erect a

new furnace at said place; authorizing and directing the Penitentiary Board to purchase or otherwise acquire timber or timbered lands and iron ore or lands containing deposits of iron ore, sufficient to supply the charcoal and iron ore necessary to run and operate the iron smelting furnace or furnaces and pipe works situated in said penitentiary to their full capacity, as herein provided, and on full time, for not less than ten years from the date of this act; providing for conducting experiments and tests at the State iron smelting furnace in said penitentiary in the use of lignite or brown coal and fuel oil as fuel in the smelting of iron; prescribing by whom said test shall be made and if such test prove successful, directing the Penitentiary Board to contract for and provide such quantity of lignite and oil or either of same for the use of such smelting furnace and iron manufactories as may be necessary for their use and consumption thereafter; providing for the appointment of a general manager of the iron industry of the Texas penitentiary and prescribing his qualifications, powers, duties and compensation, and prescribing certain duties of the Superintendent and Financial Agent of Penitentiaries in relation to said iron industry and its general manager; and making appropriation therefor."

Was made a special order for Tuesday morning at the conclusion of the morning call.

On motion of Senator Hale

Senate bill No. 67, A bill to be entitled "An Act to amend Article 4350, Title XCII, of the Revised Civil Statutes of Texas, relating to declaring quarantine in counties and cities, and maintaining and paying the expenses of same,"

Was also made a special order for Tuesday morning after action has been taken on Senate bill No. 16.

RESOLUTION.

Senator Perkins offered the following resolution:

Resolved, That the Senate order printed for the use of its members 310 copies of House bill No. 45 now pending in the House.

Resolution was read second time, and On motion of Senator Morris, was referred to Committee on Public Printing.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to

inform the Senate that the House has passed the following:

Senate bill No. 43, A bill to be entitled "An Act to create the Sixtieth Judicial District of the State of Texas in Jefferson county."

House bill No. 205, A bill to be entitled "An Act to create the Fifty-second Judicial District of the State of Texas, composed of the counties of Coryell, Hamilton and Comanche; to provide for the present district judge of the Forty-second Judicial District until the next general election, and to provide for the appointment of a district attorney for the Fifty-second Judicial District; to amend Section 2, Chapter 51, of the Acts of the Twenty-fifth Legislature, approved April 3, 1897, reorganizing the Forty-second Judicial District of Texas; to amend Section 29, Article 22, Title IV, of the Revised Civil Statutes of 1895, by reorganizing the Twenty-ninth Judicial District; to provide for the appointment of a judge for the Forty-second Judicial District; to fix the time of holding court in all the above named districts; to validate all writs and other process heretofore issued out of the district courts of the said Twenty-ninth and Forty-second Judicial Districts of Texas; to repeal all laws and parts of laws in conflict herewith, and to declare an emergency," with engrossed rider.

Also the House concurred in Senate amendments to House bill No. 8 by the following vote: Yeas, 104; nays, 0.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives.

HOUSE BILL READ AND REFERRED.

The Chair had read and referred House bill No. 205 (see caption in second House message of today's Journal) to committee on Judicial Districts.

REGULAR ORDER—SENATE BILL NO. 38.

The Chair laid before the Senate, on its second reading,

Senate bill No. 38, A bill to be entitled "An Act defining a further cause of continuance in civil and criminal cases, and to declare an emergency."

On motion of Senator Hill, the regular order, Senate bill No. 38, was suspended, and the Senate took up out of its order, Senate bill No. 71.

The Chair laid before the Senate, on its second reading,

Senate bill No. 71, A bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or

amended since the first day of January, 1887, and which have failed, or about to fail, to construct their roads and branches, or any part thereof, within the time required by law."

Bill read second time, and ordered engrossed.

On motion of Senator Hill, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Beaty.	Hicks.
Cain.	Hill.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Present—Not voting.

Brachfield.

Absent.

Douglass.

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

Bill was read third time, and passed by the following vote:

Yeas—27.

Beaty.	Hicks.
Cain.	Hill.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Harper.	Willacy.
Henderson.	Wilson.

Present—Not voting.

Brachfield.

Absent.

Douglass.

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

Senator Hill moved to reconsider the

vote by which the bill passed and lay that motion on the table.

The motion prevailed.

PENDING BUSINESS—SENATE BILL NO. 38.

The Chair laid before the Senate, on its second reading, Senate bill No. 38 (See caption above.)

Bill was read second time, and lost by the following vote:

Yeas—13.

Beaty.	Hanger.
Davidson of	Harper.
Galveston.	Hicks.
Decker.	Hill.
Faubion.	Patteson.
Faulk.	Paulus.
Hale.	Stafford.

Nays—13.

Brachfield.	McKamy.
Cain.	Mills.
Faust.	Morris.
Grinnan.	Perkins.
Harbison.	Savage.
Henderson.	Sebastian.
Martin.	

Absent.

Douglass.	Wilson.
Willacy.	

Absent—Excused.

Davidson of	Lipscomb.
DeWitt.	

COMMITTEE REPORT.

By unanimous consent the following committee report was offered:

Committee Room,
Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate Joint Resolution No. 4, Providing for a convention to frame a Constitution for the State of Texas,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to Committee on Constitutional Amendments.

DOUGLASS, Acting Chairman.

ADJOURNMENT.

Senator Perkins moved to adjourn until tomorrow morning at 10 o'clock.

Senate Faust moved to adjourn until Tuesday morning at 10 o'clock.

Action being taken on the longest time

first, the motion prevailed, and the Senate, at 12:15 p. m., adjourned until Tuesday morning, February 3rd.

FOURTEENTH DAY.

Senate Chamber,

Austin, Texas, Tuesday, Feb. 3, 1903.

Senate met pursuant to adjournment. Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Hicks.
Brachfield.	Hill.
Cain.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Douglass.	Mills.
Faubion.	Morris.
Faulk.	Patteson.
Faust.	Paulus.
Grinnan.	Perkins.
Hale.	Savage.
Hanger.	Sebastian.
Harbison.	Stafford.
Henderson.	Wilson.

Absent.

Decker.	Willacy.
Harper.	

Absent—Excused.

Davidson of	
DeWitt.	

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Savage, the same was dispensed with.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, January 30, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 26, A bill to be entitled "An Act to amend Chapter 17, Title XXI, Revised Statutes of Texas, by adding thereto Article 748a, and providing for the cancellation of permits to do business in Texas granted to non-resident corporations, and preventing issuance of permits to offending corporations."

And find the same correctly engrossed.
PATTESON, Chairman.